

P L A N N I N G C O M M I S S I O N

ACTION MINUTES

TUESDAY, JANUARY 20, 2004

ITEM 4A.

Chair Gibson called the meeting to order at 7:00 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Gibson, Parsons, Frautschi, Dickenson, Long

Absent, Commissioners: None

Present, Staff: Community Development Director Ewing (CDD), Principal Planner de Melo (PP), Associate Planner Swan (AP), Zoning Technician Froelich, (ZT), Deputy City Attorney Zafferano (DCA), Recording Secretary Flores (RS)

2. AGENDA AMENDMENTS: None

3. COMMUNITY FORUM (Public Comments): None

CONSENT CALENDAR:

4A. Resolution of Appreciation for Alicia Torre

Chair Gibson read a Resolution of Appreciation for Outstanding Public Service rendered by Alicia Torre for service on the Planning Commission from September 2000 through December 2003. Ms. Torre accepted the Resolution and expressed her feelings that her service was a good experience because the staff was capable and her fellow Commissioners were always hard working, prepared and serious about trying to better Belmont.

4B. 12/16/03 Planning Commission Minutes

MOTION: By Commissioner Parsons, seconded by Commissioner Long, to approve the Minutes of December 16, 2003 as amended.

Ayes: Parsons, Long, Dickenson, Frautschi, Gibson

Noes: None

Absent: None

Motion passed: 5/0

5. PUBLIC HEARINGS:

5A. PUBLIC HEARING – 1903 Oak Knoll Drive

To consider a Single Family Design Review to add a 941 square foot second floor and stairwell to an existing 1,555 square foot single family residence for a total of 2,476 square feet that is below the zoning district permitted 3,500 square feet for this site.

(Appl. No. 03-0100)

APN: 044-072-590; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15301, Class 1(e)(2)(a & b)

Applicant: Reza Javandel

Owners: Richard and Susan Pobitz

ZT Froelich summarized the Staff Report, recommending approval.

The Commission asked why an Arborist's Report was not included, and confirmed with staff that removal of the pavement will not affect the adjacent oak trees. PP de Melo added that, should the Commission have concerns about protection of the trees, the Arborist could be asked to look at issues related to removal of portions of the driveway that are adjacent to the oaks at the building permit stage.

The Commission was concerned that removal of the widest part of the driveway, which is a natural turnaround point, will create a public safety issue by vehicles backing down the driveway into the street.

Richard Pobitz, applicant, stated that he needs the turnaround, and added that they have decided to eliminate the deck.

Steve Patrick, project architect, submitted photos of the driveway, and stated that backing down the driveway is nearly impossible and that requiring compliance with Ordinance 8.3.2a would make the project unsafe and rather ugly. He does not feel that the wording of the Ordinance forces removal of eleven feet at the turnaround in this case, and he would prefer not to have to request a Variance for safe egress from the property.

Chair Gibson opened the Public Hearing – no one came forward to speak.

MOTION: By Commissioner Long, seconded by Commissioner Dickenson, to close the public hearing. Motion passed.

Discussion ensued regarding mitigation requiring a protective fence around the tree during construction, the possibility of allowing extension of the paving around the tree for safety purposes, using a porous material, and allowing the deck to remain as proposed. C Parsons stated that he could not approve additional paving, even if it is porous, without having an Arborist's report.

MOTION: By Commissioner Parsons, seconded by Commissioner Frautschi, approving the project subject to elimination of the deck and retaining the existing turnaround in its current location, and requiring that the Oak area in the front of the property be fenced off to prevent contractors from using that area as lay-down.

Ayes: Parsons, Frautschi, Dickenson

Noes: Long, Gibson

Absent None

Motion Passed: 3/2

PP de Melo clarified that the Commission wants the Condition of Approval deleted that requires that the 25' portion of the driveway be removed, leaving the existing turnaround as is with no change to the existing paving.

Two Commissioners stated that they would have supported a more liberal approval.

A Commissioner made the suggestion that a skylight be added to the upstairs bathroom.

C Gibson stated that this item may be appealed to the City Council within ten days.

5B. PUBLIC HEARING – 1500 Ridge Road

To consider a Single Family Design Review to construct a two-story 1,069 square foot addition to the existing 2,419 square foot single family residence for a total of 3,488 square feet that is below the zoning district permitted 3,500 square feet for this site.

(Appl. No. 03-0053)

APN: 044-112-380; Zoned: R1-B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15301, Class 1(e)(2)(a & b)

Applicant: James Valenti

Owners: Matthew and Holly Hasselgren

PP de Melo summarized the Staff Report, recommending approval subject to the conditions attached, and answered questions from the Commission.

James Valenti, architect, gave a summary of the development of the project, and answered questions from the Commission, explaining why the garage space was not enlarged. He noted that the guest house has been used as a living room, and presumably will continue to be used in that manner or as a guest bedroom.

Chair Gibson opened the Public Hearing – no one came forward to speak.

MOTION: By Commissioner Frautschi, seconded by Commissioner Long, to close the public hearing. Motion passed.

The Commission asked staff for clarification of what prevented the guest house from being considered a secondary unit and how the square footage of that unit was calculated. PP de Melo responded that removal of plumbing and appliance hookups from the guest house are a good step toward preventing it from being used as a rentable unit, and explained the square footage calculation.

A Commissioner felt that something could have been done to provide more parking on the large lot. Another Commissioner commented that it was too bad they didn't work the addition to take advantage of the view from the living room. A Commissioner applauded the applicant for their painstaking and extensive focus on keeping the historic features of the house intact, and encouraged them to read the Department of Interior's Guidelines for Architectural Improvements and Preservation of Existing Structures.

Holly Hasselgren, owner, stated that they have no intention of renting out the guest house and do not object to removal of any parts of the kitchen. She acquainted the Commission with some of the history of the house, emphasizing that they do not want to tear any of it down.

MOTION: By Commissioner Frautschi, seconded by Commissioner Long, to approve the single-family design review to construct a two-story, 1,069 square foot addition to the existing 2,419 square foot single family residence subject to the attached conditions in Exhibit A.

Ayes: Long, Dickenson, Frautschi, Parsons, Gibson

Noes: None

Absent: None

Motion passed 5/0

This item may be appealed to the City Council within 10 days.

Chair Gibson called for a recess at 8:15 p.m. Meeting resumed at 8:20 p.m.

5C. PUBLIC HEARING – 1220 North Road

To consider a Single Family Design Review, Floor Area Exception, and Variance(s) to permit the construction of a new 916 square foot accessory structure (565 square foot garage & 351 square foot family room above garage) in front of an existing 2,851 square foot single family residence.

(Appl. No. 03-0104)

APN: 044-111-500; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15301, Class 1(e)(1)

Applicant/Owner(s): Olaf and Hang Holoyda

AP Swan presented the staff report, summarizing that the steep-sloped site has been developed to the reasonable expectation for productive use of the property and that the current proposal far exceeds zoning code allowances and does not warrant approval.

Discussion ensued between the Commission, staff and DCA Zafferano to clarify the Findings on health and safety issues and "unnecessary physical hardships."

Olaf Holoyda, applicant/owner, explained the need for a garage and an elevator, stressing that these are safety issues for him. He believes that it is true that young adults with no children or physical hardships would have full, productive use of the house, but that it is not a family-conducive house. Mr. Holoyda added that they would be willing to forego the family room if that is the desire of the Commission.

The Commission asked the applicant if the planned structural improvements will impact the upper levels of the deck. Mr. Holoyda replied that a structural engineer has been hired with the goal to strengthen the foundation of the entire house by the use of tie backs and the concrete retaining wall.

Chair Gibson opened the Public Hearing – no one came forward to speak.

MOTION: By Commissioner Parsons, seconded by Commissioner Dickenson, to close the public hearing. Motion passed.

The following concerns were discussed at length: 1) the safety of the extraordinarily steep stairs leading to the front foyer, 2) whether adding a garage door would make a visibility impediment greater than what is there now, and 3) the economic benefit to the applicant if the project is approved with seven variances as proposed. Responding to a question from the Commission, CDD Ewing stated that if there was no family room, no elevator and no garage involved, the structural improvements and work on the existing retaining wall, unless there was excessive grading, could be done without it coming back to the Commission. He added that if there is less project it is very possible that some of the variance requests would be eliminated.

In order to give staff some direction on this project, Chair Gibson conducted a straw poll to determine where the Commission stands on the various issues. All five Commissioners agreed that the house is excessively large now and that the family room should not be permitted. Three Commissioners would approve the

addition of an elevator, while two would say "no" on the elevator without knowing what variances would be involved. All five Commissioners agreed that the retaining wall is a safety issue and would have to be dealt with. Three Commissioners could not approve a variance for additional square footage for a garage, while two would be in favor of a garage. The applicant pointed out why the house would collapse if they were to excavate into the hillside to push the garage further back. AP Swan commented that if the item is continued it will need to be re-noticed.

MOTION: By Commissioner Long, seconded by Commissioner Parsons, to continue the application at 1220 North Road until such time as the applicant works with City staff to come forward with another proposal that would include an elevator, retaining wall improvements, but no garage or family room.

Ayes: Long, Parsons, Dickenson, Frautschi, Gibson

Noes: None

Absent: None

Motion passed: 5/0

This item may be appealed to the City Council within 10 days.

Chair Gibson called for a recess at 9:20 p.m. Meeting resumed at 9:25 p.m.

6. NEW BUSINESS:

6A. Priority Calendar – Spring 2004

CDD Ewing summarized his memorandum and invited the Commission to review the current projects listed, ask any questions about them, and suggest any new issues that they would like to have the Council consider. He noted that Step 3 in two weeks will involve prioritizing new items, not the four items that are already on the Priority Calendar. These items will not be re-ranked; they are part of the current schedule. He answered questions from the Commission.

In addition to their questions, Commissioners commented as follows:

- Regarding the General Plan Update, Chair Gibson and CDD Ewing discussed the feasibility of utilizing some of the talented and dedicated volunteers who were involved in the Visioning Process for this project.
- Would to see the time between priority-setting meetings tightened up. Six weeks seemed like a long time.
- Wanted to make certain that Section 8.1.4 of the Zoning Ordinance is included in the Parking item, since the Commission is constantly dealing with this issue. Responding to C Dickenson, CDD Ewing added later that the description is not limited to residential and the parking district concept could be explored.
- Regarding the Grading issue, CDD Ewing stated that he is going to recommend that this item be transferred to Public Works since Community Development has completed its work.
- Since the Cabaret issue is completed, The Commission questioned if it would make sense for the City to invite restaurants to apply. CDD Ewing responded that he felt this would be in the Economic Development realm rather than Planning and Zoning. He added that it might be a good outreach activity for the Chamber.

- Suggested the addition of a general review of Definitions in the Zoning Code. CDD Ewing agreed that the current definitions need to be reviewed and that he could probably add forty or more new definitions.

- Suggested that a review of the Sign/Window Sign Ordinance be added.

- Would like to see construction job site hours posted, not just on commercial, but also on public properties. Posting of Permits was discussed. It was noted that the Martin Luther King holiday is not included in the list of holidays in the standard Conditions of Approval. CDD Ewing agreed to determine the current practice with regard to permit posting and report back to the Commission.

- Questioned if the community has specifically laid out what the Ralston and Alameda scenic corridor should look like. He suggested adding development of a comprehensive plan for Ralston Avenue from Hwy. 101 to Hwy. 92 to the priority calendar.

Discussion ensued regarding defining bedrooms and numbers of garage spaces, numbers of variances, and code enforcement policies.

7. REPORTS, STUDIES, UPDATES AND COMMENTS

Chair Gibson called Commissioners' attention to:

- 1) Economic Development Summit Saturday 9-12 in the Senior Center.

- 2) New Planning Commission applicants are being interviewed in City Hall the following day (1/21) at 6:30 p.m. C Frautschi will attend.

- 3) Suggested that Commissioners look at the new house on Harbor between 5th and 6th Avenues.

CDD Ewing stated that the Economic Development Summit packet will be e-mailed to Commissioners in anticipation of Saturday's meeting.

- 1) It was brought to staff's attention that there was graffiti on the back of the green building at the Sports Complex.

- 2) Staff was asked if Notre Dame High School was required to get a permit to build the batting cage they have constructed in the corner of their property on their athletic field. CDD Ewing agreed to investigate.

- 3) Staff was asked what happened with the trees at the Doctor's Building. PP de Melo explained the one tree that was protected by ordinance was permitted by the Commission in June 2003 and that the screening Eucalyptus trees along the side were not protected by ordinance based on the Arborist's assessment.

It was mentioned that the fencing around the PCRC site is blocking the sidewalk. Since it is not known when or if the property will be worked on, the fencing should be moved inward. CDD Ewing agreed to check it out.

Attention was called to a section of sidewalk that was removed in front of a house on Hallmark (two doors from the school district building). It is the main route to the middle school and has been blocked off for about 6 weeks; the kids have to go out in the street to get around it to get to the school. CDD will look into it.

8. PLANNING COMMISSION LIAISON TO CITY COUNCIL MEETING OF TUESDAY, January 27, 2004.

Liaison: Commissioner Gibson

Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:

The meeting adjourned at 10:20 p.m. to a regular meeting on Tuesday, February 3, 2004 at 7:00 p.m. at Twin Pines Senior and Community Center.

Craig A. Ewing, AICP

Planning Commission Secretary

*Audiotapes of Planning Commission Meetings are available for review
in the Community Development Department*

Please call (650) 595-7416 to schedule an appointment.